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U.S. Application No. 10/816,913

REMARKS

The Applicants request reconsideration of the rejection.

Claims 1-15 remain pending.

Claims 1-2, 5-7, 10-12 and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by Meehan et al., U.S. Patent Publication No. 2004/0177218 (Meehan). The rejection further relies on Patterson et al., "A Case for Redundant Arrays of Inexpensive Disks (RAID)" and Massiglia, "The RAID Book". The Applicants traverse as follows.

The claims have been amended to change the recitation of each "storage unit" to now appear as disk array system to highlight differences between these claimed elements and the disclosure of Meehan. The claims have further been amended to recite that each disk array system has a controller, and that all but one of the disk array systems is connected to a different respective information processing unit. The disk array system that is not recited to be connected to a corresponding information processing unit is the disk array system that has the "second storage controller".

The Applicants note that the disk array system having the second storage controller receives data from the other disk array systems which are connected to corresponding information processing units.

The disk array system having the second storage controller (hereinafter the "second disk array system") acts as a backup for the other disk array systems (hereinafter "the first disk array systems"). Meehan, on the other hand, discloses an expensive system for a single host, incorporating a multiple RAID system having

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multi-tiered RAID controllers. Whereas the present invention includes a disk array system that backs up plural disk array systems, Meehan does not disclose a corresponding structure. In particular, Meehan's secondary RAID controller 310, said to correspond to the "second disk array system", has a much greater role than the second disk array system. Further, if Meehan's secondary RAID controller 310 fails, the level 3 RAID controller 320 is cut off. However, the second disk array system (as claimed: the second disk array system or the disk array system (as opposed to the "other disk array systems")) performs its function of restoring lost data precisely at such times as one of the other disk array systems fails.

Thus, fundamentally, the claimed invention having a backup disk array system for data of plural disk array systems is different from Meehan's expensive multi-tiered RAID backup system.

Claims 3-4, 8-9 and 13-14 were rejected under 35 U.S.C. §103(a) as being obvious over Meehan (incorporating Patterson and Massiglia) in view of Kawamoto et al., U.S. Patent Publication No. 2003/0220985 (Kawamoto). Each of these claims relies on one of the independent claims 1, 6, and 11 distinguished above, and thus is patentable at least on the basis of the patentability of those claims. In addition, Kawamoto is not seen to disclose or fairly suggests the features missing from Meehan.

The Applicants request a personal interview with the Examiner to be conducted during the week of November 6-10, 2006 at a time that is mutually convenient to be both the Examiner and the Applicants' representative. The

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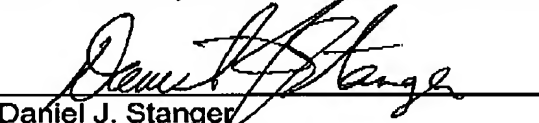
Applicants' representative will telephone the Examiner to schedule the interview, which is desired before an Office Action on the merits is prepared.

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 500.43732X00).

Respectfully submitted,

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